



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State

Frankfort
Kentucky

2005-943

August 31, 2005

WHEREAS, I, ERNIE FLETCHER, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by the Constitution of the Commonwealth of Kentucky and by Chapter 39A of the Kentucky Revised Statutes, did declare by Executive Order on August 30, 2005, that a State of Emergency exists in the Commonwealth of Kentucky; and

WHEREAS, under such circumstances, I am further empowered by the Constitution of the Commonwealth of Kentucky and Chapter 367 of the Kentucky Revised Statutes to implement certain provisions of law aimed toward protecting Kentucky consumers;

NOW, THEREFORE, I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by the Constitution of the Commonwealth of Kentucky and Chapter 367 of the Kentucky Revised Statutes, do hereby implement the provisions of KRS 367.372, *et seq.*, as to the sale of gasoline in Kentucky, and do hereby **ORDER** and **DIRECT** that:

1. No person, within the meaning of KRS 446.010, shall sell or offer to sell gasoline at a price grossly in excess of the price prior to the declaration by Executive Order on August 30, 2005, that a State of Emergency exists in the Commonwealth of Kentucky.
2. The foregoing is subject to the qualifications and limitations set forth otherwise in KRS 367.372, *et seq.*, with regard to increased cost to sellers, *inter alias*.
3. Any person who violates the provisions of KRS 367.372, *et seq.*, as implemented by this Order, shall be subject to the penalties set forth in KRS 367.378.
4. The Division of Emergency Management shall immediately notify the public and those registered with the Division for the purpose of receiving notice of the implementation, renewal, or termination. The Division shall notify the public by any means available, including the Division's Web site, news media, and



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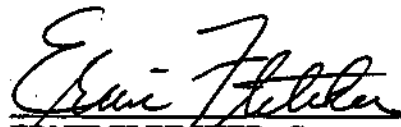
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electronic mail. Any person or trade association may register with the Division for the purpose of receiving notification.

This Order shall be in effect for the duration of the State of Emergency herein referenced, and shall be subject to renewal thereafter, subject to applicable law, if necessary to protect the lives, property, or welfare of the citizens of the Commonwealth of Kentucky.


ERNIE FLETCHER, Governor
Commonwealth of Kentucky


TREY GRAYSON
Secretary of State